

COLORADO DEPARTMENT OF TRANSPORTATION

**PROPRIETARY ITEM – FINDING IN THE PUBLIC INTEREST (FIPI)**

**INSTRUCTIONS;**

A specific patented or proprietary material, specification, or process shall not be required on a contract except as permitted in Section 8.16 of the Project Development Manual (PDM). Use this form to obtain approval of the use of a proprietary feature on a project or group of projects.

**PROPRIETARY ITEM OR PROCESS:**

Name of proprietary item or process:

Abtec Industries Ultra-Urban Filter with Smart Sponge  
Models include CO1414H, CO1414N, and CL1414H

Manufacturer name, address & phone No.:

See Attached Sheet Dated January 20<sup>th</sup>, 2009

**NEED FOR PROPRIETARY ITEM:**

| Check only one  | LOCATION  |
|---|---|
| <input type="checkbox"/> Project Specific   | Provide Project No., Project Code, and Location:                |
| <input type="checkbox"/> Corridor Specific  | Provide Corridor Description:                                   |
| <input checked="" type="checkbox"/> Region-wide   | Identify CDOT Region:<br>Region 6 for City and County of Denver |
| <input type="checkbox"/> Statewide  |   |
| For a corridor, region-wide, or statewide request, a finding in the public interest will have a term of: (Check only one) |   |
| <input checked="" type="checkbox"/> 3 Years<br>(maximum allowable)  | Specify dates of term:<br>3/1/2010-3/1/2013                     |
| <input type="checkbox"/> Other (specify term)   | Specify dates of term:  |

**CERTIFICATION**

I hereby certify that it is in the public interest to specify the above named proprietary item or process for the following reasons: (Check all that apply)

☒ It is essential for synchronization.


☐ No equally suitable alternative exists.

☐ It will be used for research or experimental purposes on short sections of road. (Such use must be processed through the Research Branch of DTD. Attach documentation from DTD.)

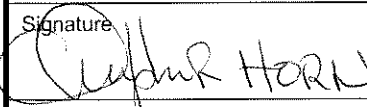
**JUSTIFICATION (required).** Justification consists of information that documents the reasons marked above for use of the proprietary item or process. For research or experimentation include a work plan that describes how the research or experimental feature will be used and evaluated. Attach additional pages and documentation as necessary.

See Attached

**APPLICANT SIGNATURE**

|              |  |   |
|--------------|--|---|
| Name         | Title (CDOT Project Engineer, Branch Manager, or Program Engineer as appropriate; see flowchart in section 8.16 of the PDM): | Signature   |
| Tony Stewart | Resident Engineer  |  |

**APPROVAL SIGNATURES:**

|  |   |                   |
|--|---|-------------------|
| Signature  | CDOT Resident Engineer<br>(Required on project specific or corridor FIPIs)  | Date              |
| Signature  | CDOT Research Engineer<br>(Required for research and experimentation FIPIs)   | Date              |
|  | FHWA Operations Engineer<br>(Required for all region-wide and statewide FIPIs and FHWA oversight project level FIPIs) | Date<br>1/27/2010 |
| Signature  | Other (specify)<br>Fed Specifications Engineer  | Date              |

**COPIES OF APPROVED FORM TO (as appropriate):**

|  |   |
|--|---|
| CDOT Project Engineer:<br>Kurt Kionka  | CDOT Resident Engineer:<br>Tony Stewart |
| CDOT Program Engineer:<br>Jim Bemelen  | CDOT Research Engineer:                 |
| CDOT Standards and Specifications Engineer (all, with draft of any required specification change): | FHWA Operations Engineer:<br>Chris Horn |



Department of Public Works  
Engineering Department

Capital Project Management - Dept. 506

720.913.4501

Development Engineering Services - Dept. 507

720.865.3100

Infrastructure Planning & Programming - Dept. 509

720.865.3150

Traffic Engineering Services - Dept. 508

720.865.3150

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Denver, CO 80202

[www.denvergov.org/PublicWorks](http://www.denvergov.org/PublicWorks)

January 20, 2010

Mr. Chris Horn  
FHWA-Colorado Division  
12,300 W. Dakota Ave., Suite 180  
Lakewood, Colorado 80228

RE: Project No. STU M320-049, SA 16178  
South Broadway Reconstruction, Yale Avenue to Wesley Avenue  
Finding in the Public Interest –Inlet Filters

Mr. Horn:

The City and County of Denver is in the process of completing plans and specifications for the South Broadway Reconstruction, Yale Avenue to Wesley Avenue. The project includes complete reconstruction of the storm sewer system. As such all storm sewer inlets will be replaced. In order to meet Denver's Municipal Separate Storm Sewer System (MS4) requirements, proprietary inlet filters will be installed in all storm sewer inlets. Since this project includes the use of federal funding and CDOT oversight, Denver has been directed to submit a request to FHWA for approval of a list of proprietary storm sewer inlet filters. This letter requests approval of these products.

#### **Justification**

As part of Denver's MS4 program, storm sewer inlet filters manufactured by Abtech Industries are used at various locations throughout the City. The use of Abtech Industries filters not only provides a means of MS4 compliance, but also allows the City to study the effectiveness of this category of storm water filtration device, and the effectiveness of this particular Abtech Industries product.

The following is a list of proprietary inlet filters to be used for this project.

#### **Storm Sewer Inlet Filters Manufactured by Abtech Industries**

Abtech Industries Ultra-Urban Filter with Smart Sponge  
Filter models include CO1414H, CO1414N and CL1414H

*Note: These items include all related collars, and mounting hardware to form a complete functioning unit as specified by Abtech Industries.*



*Protecting the Present & Building the Future*  
Accountability, Innovation, Empowerment, Performance, Integrity,  
Diversity, Teamwork, Respect, Excellence, Safety


FINDING IN PUBLIC INTEREST:

The above proprietary products have been specified in order to support Denver's MS4 compliance program. These proprietary products are compatible with products used by Denver at other locations. Overall maintenance cost has been minimized with fewer replacement components and parts to inventory. This approach minimizes the number of items that need to be stockpiled for maintenance purposes, and eliminates the need to purchase multiple replacement parts from multiple manufacturers. This results in the lowest possible life-cycle cost to Denver and the public. Overall costs to utilize and maintain these items will result in substantial savings to taxpayers.

These proprietary items meet the Buy American requirements in the CDOT Standard Special Provisions.

If you need additional information concerning this matter, please contact John La Sala at Denver Capital Projects Management (720-913-4534).

Sincerely,



John C. La Sala, PE, PTOE  
Project Manager  
City and County of Denver, Dept. of Public Works, Capital Projects Management  
(720) 913-4534

